

**House File 2462 - Introduced**

HOUSE FILE 2462  
BY COMMITTEE ON GOVERNMENT  
OVERSIGHT

(SUCCESSOR TO HSB 684)

**A BILL FOR**

1 An Act concerning public employee personnel settlement  
2 agreements and disciplinary actions, and including effective  
3 date and retroactive applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 22.7, subsection 11, paragraph a,  
2 subparagraph (5), Code 2014, is amended to read as follows:

3 (5) The fact that the individual resigned in lieu of  
4 termination, was discharged, or was demoted as the result  
5 of a final disciplinary action upon the exhaustion of all  
6 applicable contractual, legal, and statutory remedies, and the  
7 documented reasons and rationale for the resignation in lieu of  
8 termination, the discharge, or the demotion.

9 Sec. 2. NEW SECTION. 22.13A Personnel settlement agreements  
10 — state employees — confidentiality — disclosure.

11 1. For purposes of this section:

12 a. "*Personnel settlement agreement*" means a binding legal  
13 agreement between a state employee and the state employee's  
14 employer, subject to section 22.13, to resolve a personnel  
15 dispute including but not limited to a grievance. "*Personnel*  
16 *settlement agreement*" does not include an initial decision by a  
17 state employee's immediate supervisor concerning a personnel  
18 dispute or grievance.

19 b. "*State employee*" means an employee of the state who is  
20 an employee of the executive branch as described in sections  
21 7E.2 and 7E.5.

22 2. Personnel settlement agreements shall not contain any  
23 confidentiality or nondisclosure provision that attempts to  
24 prevent the disclosure of the personnel settlement agreement.  
25 In addition, any confidentiality or nondisclosure provision in  
26 a personnel settlement agreement is void and unenforceable.

27 3. The requirements of this section shall not be superseded  
28 by any provision of a collective bargaining agreement.

29 4. All personnel settlement agreements shall be made easily  
30 accessible to the public on an internet site maintained as  
31 follows:

32 a. For personnel settlement agreements with an employee of  
33 the executive branch, excluding an employee of the state board  
34 of regents or institution under the control of the state board  
35 of regents, by the department of administrative services.



1 that attempt to prevent the disclosure of the personnel  
2 settlement agreement and shall be made available to the public  
3 on an internet site. In addition, the bill provides that any  
4 confidentiality or nondisclosure provision in a personnel  
5 settlement agreement is not enforceable. New Code section  
6 22.13A is applicable to employees of the executive branch of  
7 government and defines a personnel settlement agreement as a  
8 binding legal agreement between a state employee and the state  
9 employee's employer, subject to Code section 22.13 relating to  
10 settlement agreements as public records, to resolve a personnel  
11 dispute including but not limited to certain grievances. The  
12 bill provides that the internet site be maintained by the  
13 department of administrative services or board of regents,  
14 as applicable, based on the employee covered. The bill also  
15 provides that the requirements of this new provision shall not  
16 be superseded by any collective bargaining agreement.

17 The bill includes an implementation provision that provides  
18 that the bill shall not be construed to limit or impair the  
19 ability of law enforcement personnel to investigate violations  
20 of the law.

21 These provisions of the bill take effect upon enactment.